



*attorneys at law*

New Jersey • New York • Florida

3 Becker Farm Road  
Suite 105  
Roseland, New Jersey 07068  
www.lawfirm.ms  
t. 973.736.4600  
f. 973.325.7467

Steven I. Adler, Esq.  
Direct Dial: 973.243.7930  
Email: [sadler@lawfirm.ms](mailto:sadler@lawfirm.ms)

October 20, 2020

**VIA ECF**

Honorable Kevin McNulty, U.S.D.J.  
Martin Luther King, Jr. Federal Bldg.  
and U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re: Salerno Medical Associates, LLP, et al. v. Riverside Medical Group,  
LLC, et al., 2:20-cv-10539 (KM)**

Dear Judge McNulty:

We represent Plaintiffs in the above-referenced matter. Accompany this letter is a corrected Table of Authorities that we ask be substituted for the one submitted last night with Plaintiff's Brief in Opposition To Defendants' Combined Motion To Dismiss For Lack of Personal Jurisdiction, to Compel Arbitration, and Alternatively, to Dismiss for Failure to State a Claim, ECF 21.

Respectfully submitted,

Steven I. Adler  
Steven I. Adler, Esq.

cc via ECF:

Steven L. Penaro, Esq.  
Lee Deneen, Esq.  
Brian Boone, Esq.  
Anderson Kemp, Esq.

## TABLE OF AUTHORITIES

### Cases - Federal

<u>Alston v. Parker</u> , 363 F.3d 229 (3d Cir. 2004) .....	14
<u>AT&amp;T Tech., Inc. v. CWA</u> , 475 U.S. 643 (1986) .....	20
<u>Avaya Inc., RP v. Telecom Labs, Inc.</u> , 838 F.3d 354 (3d Cir. 2016) .....	35
<u>Bayonne Drydock &amp; Repair Corp. v. Wartsila N. Am., Inc.</u> , 2013 WL 3286149 (D.N.J. June 28, 2013) .....	25
<u>Bell Atlantic Corp. v. Twombly</u> , 550 U.S. 544 (2007) .....	13, 14
<u>Bel-Ray Co., Inc. v. Chemrite (Pty) Ltd.</u> , 181 F.3d 435 (3d Cir.1999) .....	11
<u>Bouriez v. Carnegie Mellon Univ.</u> , 359 F.3d 292 (3d Cir.2004) .....	23
<u>Burger King Corp. v. Rudzewicz</u> , 471 U.S. 462 (1985) .....	16
<u>Carpet Group Int'l v. Oriental Rug Importers Ass'n, Inc.</u> , 256 F.Supp.2d. 249 (D.N.J. 2003), <u>aff'd</u> , 173 F. App'x 178 (3d Cir. 2006) .....	30
<u>Coast Cities Truck Sales, Inc. v. Navistar Int'l Transp. Co.</u> , 912 F. Supp. 747 (D.N.J. 1995) .....	35
<u>Conley v. Gibson</u> , 355 U.S. 41 (1957) .....	13
<u>Connelly v. Lane Const. Corp.</u> , 809 F.3d 780 (3rd Cir. 2016) .....	13, 14
<u>Copperwald Corp. v. Indep. Tube Corp.</u> , 467 U.S. 752 (1984) .....	33
<u>D'Agostino v. Wilson</u> , 2019 WL 5168621 (D.N.J. Oct. 11, 2019) .....	31
<u>Daimler AG v. Bauman</u> , 571 U.S. 117 (2014) .....	4
<u>Duffy v. Charles Schwab &amp; Co.</u> , 123 F. Supp. 2d 802 (D.N.J. 2000) .....	35
<u>E.I. DuPont de Nemours &amp; Co. v. Rhone Poulenc Fiber &amp; Resin Intermediates, S.A.S.</u> , 269 F.3d 187 (3d Cir. 2001) .....	10, 11, 26
<u>Eaton Corp. v. Maslym Holding Co.</u> , 929 F.Supp. 792 (D.N.J. 1996) .....	16
<u>Farbenfabriken Bayer, A.G. v. Sterling Drug</u> , 153 F. Supp. 589 (D.N.J. 1957) .....	32
<u>First Options of Chicago v. Kaplan</u> , 514 U.S. 938 (1995) .....	20
<u>Green Tree Fin. Corp. v. Bazzle</u> , 539 U.S. 444 (2003) .....	20
<u>Griswold v. Coventry First LLC</u> , 762 F.3d 264 (3d Cir. 2014) .....	11, 22, 24
<u>Guidotti v. Legal Helpers Debt Resolution, L.L.C.</u> , 716 F.3d 764 (3rd Cir. 2013) .....	12
<u>Hampton v. Hanrahan</u> , 600 F.2d 600 (7 <sup>th</sup> Cir. 1979), <u>rev. on other grnds.</u> , 446 U.S. 754 (1980) .....	32
<u>Haskins v. First Am. Title Ins. Co.</u> , 866 F. Supp.2d 343 (D.N.J.2012) .....	23
<u>Loceria Colombiana, S.A. v. Zrike Co.</u> , 2011 WL 735715 (D.N.J. Feb. 22, 2011) .....	34
<u>Long v. Wilson</u> , 393 F.3d 390 (3d Cir.2004) .....	14
<u>Marina Dist. Dev. Co., LLC v. Ivey</u> , 216 F. Supp. 3d 426 (D.N.J. 2016) .....	31
<u>Neal v. Asta Funding, Inc.</u> , 2016 WL 3566960 (D.N.J. June 30, 2016), <u>aff'd</u> , 756 Fed. Appx. 184 (3d Cir. 2018) .....	22, 23, 25, 26
<u>New Jersey Physicians United Reciprocal Exch. v. Boynton &amp; Boynton, Inc.</u> , 141 F. Supp. 3d 298 (D.N.J. 2015) .....	29
<u>Noble Drilling Services, Inc. v. Certex USA, Inc.</u> , 620 F.3d 469 (5th Cir.2010) .....	23
<u>O'Connor v. Sandy Lane Hotel Co.</u> , 496 F.3d 312 (3d Cir. 2007) .....	16
<u>Par-Knit Mills, Inc. v. Stockbridge Fabrics Co., Ltd.</u> , 636 F.2d 51 (3d Cir.1980) .....	12
<u>Phillips v. City of Allegheny</u> , 515 F.3d 224 (3d Cir. 2008) .....	13, 14

**TABLE OF AUTHORITIES (Continued)**

<u>Precision Funding Grp. v. Nat'l Fid. Mortg.</u> , No. 12-cv-5054, 2013 U.S. Dist. LEXIS 76609 (D.N.J. May 31, 2013).....	28
<u>Prima v. Darden Restaurants, Inc.</u> , 78 F. Supp. 2d 337 (D.N.J. 2000) .....	30
<u>Puleo v. Chase Bank, N.A.</u> , 605 F.3d 172 (3rd Cir. 2010).....	20
<u>Sandvik AB v. Advent Int'l Corp.</u> , 220 F.3d 99 (3d Cir.2000).....	11
<u>Sheridan v. NGK Metals Corp.</u> , 609 F.3d 239 (3d Cir. 2010).....	13
<u>Stewart v. Beam Glob. Spirits &amp; Wine, Inc.</u> , 877 F. Supp. 2d 192 (D.N.J. 2012) .....	34
<u>Suburban Transfer Service, Inc. v. Beech Holdings, Inc.</u> , 716 F.2d 220 (3d Cir.1983) .....	34
<u>Torlay v. Nelligan</u> , No. 19-6589, 2019 U.S. Dist. LEXIS 159478, (D.N.J. Sept. 18, 2019) ....	28
<u>United Steelworkers of America v. Warrior &amp; Gulf Navigation Co.</u> , 363 U.S. 574 (1960) ....	11
<u>Wiatt v. Winston &amp; Strawn LLP</u> , 838 F. Supp. 2d 296 (D.N.J. 2012) .....	31

**Cases - State**

<u>Atalese v. U.S. Legal Servs. Grp., L.P.</u> , 99 A.3d 306 (N.J. 2014), cert. denied, 135 S. Ct. 2804 (2015) .....	8
<u>Hirsch v. Amper Fin. Servs., LLC</u> , 215 N.J. 174, 71 A.3d 849 (2013) .....	28
<u>Marroccoli v. Kelly Constr., LLC</u> , 2017 N.J. Super. Unpub. LEXIS 657 (March 2, 2017).....	32
<u>Morgan v. Union County Bd. of Chosen Freeholders</u> , 268 N.J. Super. 337 (App. Div. 1993).....	31, 32
<u>Muhammad v. County Bank of Rehoboth Beach, Delaware</u> , 189 N.J. 1, 912 A.2d 88 (2006) .....	21
<u>New Jersey Optometric Ass'n v. Hillman-Kohan Eyeglasses, Inc.</u> , 144 N.J. Super. 411, 365 A.2d 956 (Ch. Div. 1976), <u>aff'd</u> , 160 N.J. Super. 81, 388 A.2d 1299 (App. Div. 1978).....	35
<u>State v. Murphy</u> , 168 N.J. Super. 214 (App. Div.), <u>certif. denied</u> , 82 N.J. 264 (1979) .....	32
<u>State v. Porro</u> , 152 N.J. Super. 179 (App. Div. 1997), <u>app. dismissed</u> , 77 N.J. 504 (1998) .....	32
<u>VRG Corp. v. GKN Realty Corp.</u> , 135 N.J. 539 (N.J. 1994) .....	34

**Statutes**

Federal Trade Commission Act, 15 U.S.C. §15.....	33
Sherman Act, 15 U.S.C. § 1.....	33

**Rules**

Fed. R. Civ. P. 4(k) .....	1
Fed. R. Civ. P. 12(b)(6) .....	12, 14
Fed. R. Civ. P. 15(a) .....	14

**TABLE OF AUTHORITIES (Continued)**

**Regulations**

42 CFR § 422.111 .....	34
------------------------	----

**Other Authorities**

Restatement of Torts § 762 (1939).....	35
United States Constitution. N.J. Ct. R. 4:4-4.....	16